

**REMARKS**

**Summary of the Office Action**

1. Claims 12, 15, 17, 19-22, 24-28 stand rejected under 35 U.S.C. Section 112, first paragraph, for failing to comply with the enablement requirement.
2. Claims 12, 15, 17, 19-24 stand rejected under 35 U.S.C. Section 112, first paragraph, as failing to comply with the written description requirement.
3. Claims 29-34 stand rejected under 35 U.S.C. Section 112, first paragraph, as failing to comply with the written description requirement.
4. Claims 12, 15, 17, 19-22, and 24-28 are rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite. Claim 17 has a separate rejection.
5. Claims 35-39 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kanzaki (US 20030117380A1).
6. Claim 40 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Kanzaki in view of Scott (U.S. Patent No. 6,468,212).

**Summary of the Response**

Claims 1-11, 13-14, 16, 18 and 23 are cancelled.

Claims 12, 15, 17, 19-22 and 24-45 are pending.

**Detailed Remarks**

Applicant requests consideration of the following remarks.

A. Claims 12, 15, 17, 19-22, 24-28 stand rejected under 35 U.S.C. Section 112, first paragraph, for failing to comply with the enablement requirement.

In making this rejection, the Office Action states “the specification is not enabling for an electronic device comprising both limitations,” where the referenced limitations are (1) “a bezel feature coupled to the display assembly to at least partially circumvent the display assembly wherein the bezel feature is about a rotation axis” and (2) “the bezel

feature being moveably coupled to the housing to move between an open and a closed position" (hereinafter termed features (1) and (2) respectively).

Applicant respectfully disagrees with the rejection for the following reasons. First, the standard that the Office Action requires in making the rejection runs contrary to the law. Section 2164.01 of the MPEP states: "Any analysis of whether a particular claim is supported by the disclosure in an application requires a determination of whether that disclosure when filed, contained sufficient information regarding the subject matter of the claims as to enable one skilled in the pertinent art to make and use the claimed invention." If one skilled in the art can apply each feature (1) and (2) independently, there is absolutely no reason why the same skilled artisan could not combine features (1) and (2) above in one device.

Second, Applicant notes that the Examiner has the burden to establish that the enablement requirement has not been met in a claim. MPEP 2164.04.

Third, Applicant notes that there is clear support for the proposition that features (1) and (2) may be combined with the illustration of FIG. 3. FIG. 3 illustrates the bezel feature as a lid that can be opened, and rotated when in the closed position. Furthermore, FIG. 3 illustrates the bezel feature as circumventing the display. Please note that Applicant has amended Claim 12 to reflect that the bezel feature circumvents the display assembly when in the closed position, as illustrated in FIG. 3.

Fourth, Applicant has not narrowed the description of the features (1) and (2) to one embodiment. In the pertinent portions of the specification, the application recites "*an embodiment*", not "*the embodiment*". In each pertinent portion of the specification in which features (1) and (2) are described, the recitation is for "an embodiment". This is by design, for purpose of making clear the intent that different embodiments of the invention can claim different features and combinations described in different figures.

B. Claims 12, 15, 17, 19-24 stand rejected under 35 U.S.C. Section 112, first paragraph, as failing to comply with the written description requirement.

The rejection states that "there is no disclosure as to how the rotation of the bezel in the closed position is recognized." Applicant respectfully disagrees with the statement. On the last paragraph of page 7 of the specification, the application states "The lid 225

may be operated as a bezel feature similar to any of the embodiments described herein.” This corresponds to the bezel feature being shown in the closed position. Applicant notes that there are various segments of the specification detailing how rotation or movement of the bezel may be recognized, including Section E of the specification.

C. Claims 29-34 stand rejected under 35 U.S.C. Section 112, first paragraph, as failing to comply with the written description requirement.

Applicant respectfully disagrees with this rejection, as the “slots” would be inherently needed to accommodate an oversized bezel feature. However, the claim has been amended to include a similar limitation using the X and Y reference of FIGS. 5 and 6.

D. Claims 12, 15, 17, 19-22, and 24-28 are rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite. Claim 17 has a separate rejection.

Applicant submits the amendment to Claim 12 clarifies the ambiguity raised by the Office Action.

With respect to Claim 17, Applicant submits that the amendment cures the antecedent basis objection.

E. Claims 35-39 stand rejected under 35 U.S.C. 102(e) as being anticipated by Kanzaki (US 20030117380A1).

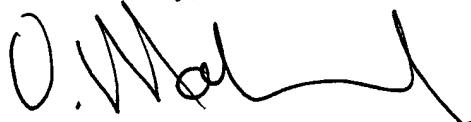
While Applicant maintains there are differences between the claims as previously presented and Kanzaki, Applicant has also amended the claim to recite that the operation performed by the processor in response to manipulation of the bezel feature is application selection. This function is not recited in the Kanzaki, as Kanzaki pertains to a technique for entering numerical input for CAD applications.

For reasons stated above, Applicant believes the application is in condition for allowance. A Notice of Allowance is respectfully requested.

### CONCLUSION

A Notice of Allowance is respectfully requested. If there are any questions or comments that the Examiner wishes to direct to Applicant's attorney, the Examiner is invited to call Applicant's attorney at (408) 551-6632. The Patent Office is authorized to charge all unpaid fees to the deposit account 50-1914.

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The undersigned hereby certifies that this paper is being submitted with the U.S. Postal service with sufficient postage as first class mail, addressed to "Mail Stop After Final, Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450" on June 16, 2004.

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